

DECISION MEMORANDUM

**TO: COMMISSIONER KJELLANDER
COMMISSIONER RAPER
COMMISSIONER ANDERSON
COMMISSION SECRETARY
COMMISSION STAFF
LEGAL**

**FROM: DAYN HARDIE
DEPUTY ATTORNEY GENERAL**

DATE: OCTOBER 22, 2021

**SUBJECT: IN THE MATTER OF THE JOINT APPLICATION OF SUEZ WATER
IDAHO, INC., TO ACQUIRE EAGLE WATER COMPANY; CASE NOS.
SUZ-W-18-02 AND EAG-W-18-01.**

On November 15, 2018, Eagle Water Company, Inc. (“Eagle Water”) and SUEZ Water Idaho Inc. (“SUEZ”) applied for approval of the acquisition of Eagle Water’s assets by SUEZ. This case was subsequently stayed pending final resolution of Case No. CV01-19-03534 in the District Court for the Fourth Judicial District, State of Idaho, Ada County. Order No. 34292.

On January 10, 2019, before this case was stayed for resolution of the District Court Case, the Commission granted Community Action Partnership Association of Idaho’s (“CAPAI”) petition for intervention. Order No. 34229.

On June 8, 2021, Eagle Water and SUEZ filed a motion to recommence proceedings (“Motion”) in this docket. The same day, Eagle Water and SUEZ filed an amendment to its joint application requesting approval of the acquisition of Eagle Water assets by SUEZ.

On July 14, 2021, the Commission issued a Notice of Amended Application granting SUEZ and Eagle Water’s Motion. Order No. 35104.

On October 4, 2021, CAPAI filed a motion for withdrawal (“Motion”) pursuant to Commission Rule 45, IDAPA 31.01.01.045. CAPAI cited the “unusual procedural course” this case has taken since it was filed and the recent transition of its Executive Director as reasons for its requested withdrawal.

STAFF RECOMMENDATION

Staff recommends the Commission grant CAPAI’s Motion. Additionally, Staff recommends the Commission direct the Commission Secretary to issue a Third Amended Notice of Parties to memorialize CAPAI’s withdrawal from this case.

COMMISSION DECISION

Does the Commission wish to grant CAPAI’s Motion? If yes, does the Commission direct the Commission Secretary to issue a Third Amended Notice of Parties to memorialize CAPAI’s withdrawal from this case?



Dayn Hardie
Deputy Attorney General

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